



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: August 18, 2004 REPORT NO.: HO-04-119

ATTENTION: HEARING OFFICER

SUBJECT: STANLEY AVENUE MAP WAIVER - PROJECT NO. 22620

LOCATION: 6214-20 Stanley Avenue

APPLICANT: Victor A. Christensen

SUMMARY

Requested Action - Should the Hearing Officer approve Map Waiver No. 56796 for the conversion of four existing residential units to condominiums?

Staff Recommendation(s) - Approve Map Waiver No. 56796 to waive the requirements for a Tentative Map and to waive the requirements for the undergrounding of existing overhead utilities.

Community Planning Group Recommendation - On July 13, 2004, the Eastern Area Community Planning Committee voted 11/2/0 in favor of the proposed Map Waiver with no recommended conditions.

Environmental Review - The project is exempt from the California Environmental Quality Act pursuant to Article 19, section 15301(k) on the basis the development is an existing facility.

BACKGROUND

The project proposes a Map Waiver to waive the requirements for a Tentative Map for the conversion of four existing residential units into condominiums. The applicants are also requesting a waiver from the requirement to underground existing overhead utilities.

The project is located at 6214-20 Stanley Avenue in the RM-1-3 Zone of the Central Urbanized Planned District within the Eastern Area Community Planning area, on a 0.139-acre site designated for multi-family residential development.

The four multi-family units maintained on the property consist of two detached multi-family buildings, a one-story and a two-story each housing two units that were built in 1953 or 1954 under the R-400 zone. The development complied with the allowable density and development regulations in effect at that time. In 1953, this zone allowed one dwelling unit for every 400 square feet of lot area, which would have permitted a maximum of 15 dwelling units to be built on this site. In 1953, no on-site parking was required for the zone, however four off-street parking spaces (garages) were provided and are maintained on the site. The development complies with the allowable density and development regulations currently in effect and relevant to this site. However, the four existing units with four off-street parking spaces conform to the regulations through previously conforming rights. The Land Development Code does not allow the reduction of existing off-street parking spaces that are now required.

DISCUSSION/ANALYSIS

Section 125.0120 of the San Diego Municipal Code allows an applicant to request a waiver of the Tentative Map requirements as provided by the Subdivision Map Act. The Map Waiver request is a Process Three, Hearing Officer decision as outlined in San Diego Municipal Code Section 125.0121, Decision Process for Map Waivers. According to San Diego Municipal Code Section 125.0122, Findings for Map Waivers, the decision maker may approve a Map Waiver if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. San Diego Municipal Code Section 144.0240 allows an applicant to apply for a waiver of the requirements to relocate the existing overhead utilities to an underground position within the boundary of the subdivision, or within the abutting public rights of way.

City staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, Underground Conversion of Utility Lines at the Developers Expense, in that it involves a span of less than 600 feet, is not part of a continuing effort to accomplish undergrounding within a specific street or area, and the conversion would represent an isolated undergrounding with a minimum probability of extension in the future and would not represent a logical extension to an undergrounding facility. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No. 4 of the draft resolution.

The project site is located on the north side of Stanley Avenue, south of El Cajon Blvd., within Council District Seven. The project's overhead utility lines are located within the alley. The City Council has not determined when the undergrounding of this site, Block 7G (Attachment 7) per the City's Undergrounding Master Plan for Fiscal Year 2004, will occur.

This project is not subject to the new Affordable Housing Ordinance requirements because this project was deemed complete prior to the February 6, 2004, effective date.

CONCLUSION

Staff has reviewed the Map Waiver request to waive the regulations for a Tentative Map and to waive the requirements for the undergrounding of existing overhead utilities. The project is in conformance with the applicable sections of the San Diego Municipal Code regulating Map Waivers and Council Policy 600-25 regulating undergrounding of existing overhead utilities. The development is consistent with the residential land use designation of the Mid-City Communities Plan. Staff has determined the required findings can be made and the Development Services Department recommends project approval.

ALTERNATIVES

1. Approve Map Waiver No. 56796 with modifications.
2. Deny Map Waiver No. 56796 if it is determined the required findings to approve the project cannot be supported.

Respectfully submitted,

Linda D. French,
Development Project Manager

Attachments:

1. Draft Resolution with Findings & Conditions
2. Ownership Disclosure Statement
3. Project Data Sheet
4. Copy of Project Plans (forwarded to HO)
5. Copy of Public Notice (forwarded to HO)
6. Community Planning Group Recommendation
7. Undergrounding Master Plan Map
8. Project Chronology

Job Order Number 42-2183